

109TH CONGRESS
2D SESSION

H. R. 6430

To amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2006

Mr. MANZULLO (for himself and Mr. PETERSON of Minnesota) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Border Trav-
5 el Facilitation Act”.

1 **SEC. 2. STATE DRIVER'S LICENSE AND IDENTIFICATION**
2 **CARD ENROLLMENT PROGRAM.**

3 Section 7209 of the Intelligence Reform and Ter-
4 rorism Prevention Act of 2004 (Public Law 108–458; 8
5 U.S.C. 1185 note) is amended by adding at the end the
6 following new subsection:

7 “(e) STATE DRIVER'S LICENSE AND IDENTIFICATION
8 CARD ENROLLMENT PROGRAM.—

9 “(1) IN GENERAL.—Notwithstanding any other
10 provision of law, the Secretary of State and the Sec-
11 retary of Homeland Security shall establish a State
12 Driver's License and Identification Card Enrollment
13 Program as described in this subsection (hereinafter
14 in this subsection referred to as the ‘Program’) and
15 enter into a memorandum of understanding with an
16 appropriate official of each State that elects to par-
17 ticipate in the Program.

18 “(2) PURPOSE.—The purpose of the Program
19 shall be to permit a citizen of the United States who
20 produces a driver's license or identification card that
21 meets the requirements of paragraph (3) or a citizen
22 of Canada who produces a document described in
23 paragraph (4) to enter the United States from Can-
24 ada without providing any other documentation or
25 evidence of citizenship.

1 “(3) ADMISSION OF CITIZENS OF THE UNITED
2 STATES.—A driver’s license or identification card
3 meets the requirements of this subparagraph if—

4 “(A) the license or card—

5 “(i) was issued by a State that is par-
6 ticipating in the Program;

7 “(ii) meets the requirements of sec-
8 tion 202 of the REAL ID Act of 2005 (di-
9 vision B of Public Law 109–13; 49 U.S.C.
10 30301 note); and

11 “(iii) includes the United States citi-
12 zenship status of the individual to whom
13 the license or card was issued; and

14 “(B) the State that issued the license or
15 card—

16 “(i) has a mechanism that is approved
17 by the Secretary of State to verify the
18 United States citizenship status of an ap-
19 plicant for such a license or card;

20 “(ii) does not require an individual to
21 include the individual’s citizenship status
22 on such a license or card; and

23 “(iii) manages all information regard-
24 ing an applicant’s United States citizen-
25 ship status in the same manner as such in-

1 formation collected through the United
2 States passport application process and
3 prohibits any other use or distribution of
4 such information.

5 “(4) ADMISSION OF CITIZENS OF CANADA.—

6 “(A) IN GENERAL.—Notwithstanding any
7 other provision of law, if the Secretary of State
8 and the Secretary of Homeland Security deter-
9 mine that an identification document issued by
10 the Government of Canada or by the Govern-
11 ment of a Province or Territory of Canada
12 meets security and information requirements
13 comparable to the requirements for a driver’s li-
14 cense or identification card described in para-
15 graph (3), the Secretary of Homeland Security
16 shall permit a citizen of Canada to enter the
17 United States from Canada using such a docu-
18 ment without providing any other documenta-
19 tion or evidence of Canadian citizenship.

20 “(B) TECHNOLOGY STANDARDS.—The
21 Secretary of Homeland Security shall work, to
22 the maximum extent possible, to ensure that an
23 identification document issued by Canada that
24 permits entry into the United States under sub-
25 paragraph (A) utilizes technology similar to the

1 technology utilized by identification documents
2 issued by the United States or any State.

3 “(5) ADMISSION OF CHILDREN.—Notwith-
4 standing any other provision of law, the Secretary of
5 Homeland Security shall permit an individual to
6 enter the United States without providing any evi-
7 dence of citizenship if, at the time of such entry—

8 “(A) the individual—

9 “(i) is younger than 16 years of age;

10 “(ii) is accompanied by the individ-
11 ual’s legal guardian; and

12 “(iii) is entering the United States
13 from Canada or another country if the
14 Secretary permits an individual to enter
15 the United States from that country under
16 the Program pursuant to paragraph
17 (6)(A); and

18 “(B) such legal guardian provides a driv-
19 er’s license or identification card described in
20 paragraph (3), a document described in para-
21 graph (4), or other evidence of citizenship if the
22 Secretary permits an individual to enter the
23 United States using such evidence under the
24 Program pursuant to paragraph (6)(B).

1 “(6) AUTHORITY TO EXPAND.—Notwith-
2 standing any other provision of law, the Secretary of
3 State and the Secretary of Homeland Security may
4 expand the Program to permit an individual to enter
5 the United States—

6 “(A) from a country other than Canada; or

7 “(B) using evidence of citizenship other
8 than a driver’s license or identification card de-
9 scribed in paragraph (3) or a document de-
10 scribed in paragraph (4).

11 “(7) RELATIONSHIP TO OTHER REQUIRE-
12 MENTS.—Nothing in this subsection shall have the
13 effect of creating a national identification card or a
14 certification of citizenship for any purpose other
15 than admission into the United States as described
16 in this subsection.

17 “(8) STATE DEFINED.—In this subsection, the
18 term ‘State’ means any of the several States of the
19 United States, the Commonwealth of the Northern
20 Mariana Islands, the Commonwealth of Puerto Rico,
21 the District of Columbia, Guam, the Virgin Islands
22 of the United States, or any other territory or pos-
23 session of the United States.

24 “(9) SCHEDULE FOR IMPLEMENTATION.—

1 “(A) IN GENERAL.—The Secretary of
2 Homeland Security and the Secretary of State
3 shall implement the Program not later than De-
4 cember 31, 2009.

5 “(B) ADMISSION PRIOR TO IMPLEMENTA-
6 TION.—During the time period beginning on
7 the date of the enactment of the Northern Bor-
8 der Travel Facilitation Act and ending on the
9 date that the Program is implemented, the Sec-
10 retary of Homeland Security shall permit an in-
11 dividual who is a citizen of the United States
12 or Canada to enter the United States from
13 Canada if that individual can demonstrate
14 United States or Canadian citizenship to the
15 satisfaction of the Secretary. Birth certificates
16 issued by a State, or by the Government of
17 Canada or by the Government of a Province or
18 Territory of Canada, or a citizenship certificate
19 or card issued by the Government of Canada
20 shall be deemed to be a satisfactory demonstra-
21 tion of citizenship under this subparagraph.”.

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